vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.1351 OF 2005
IN
SUIT NO.309 OF 2005

Resham Resh Pvt. Ltd. & Ors. ... Plaintiffs

V/s.

Dilip Balkrishna Sheth & Ors. ... Defendants

Mr.Anil Menon for Plaintiff
Ms.Sonali Jain i/b M/s.Dave & co. for Defendant Nos.1 and 2
Mr.Sanjay Kotak for Defendant Nos.5 & 6
Mr.Ashok Verma for Defendant No.15

CORAM: **SMT.NISHITA MHATRE, J.**
DATED: **JUNE 28, 2006**

P.C.:

. The Plaintiff has sought disclosure of the Deal Memo/Transaction statements, bills/invoices and Delivery instructions issued by Defendant Nos.1 and 2 and Defendant Nos.5 and 6 in relation to the 50000 suit shares of Defendant No.10. According to the Plaintiffs, these suit shares which belonged to them were transferred by Defendant Nos.1 and 2 to Defendant Nos.5 and 6 who have in turn transferred the same to the other defendants. Disclosure of these details is sought in order to ascertain as to whether the transfer of the shares was genuine and lawfully and authorisedly made.

2. In my view, although this application is opposed on behalf of Defendant Nos.5 and 6, there is no prejudice that would be caused by allowing the same. Defendant No.13, though served, is not present.

3. In the circumstances, Motion is made absolute in

terms of prayer clauses (a) and (b).